

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6263

BILL NUMBER: HB 1251

NOTE PREPARED: Nov 19, 2002

BILL AMENDED:

SUBJECT: Background Checks for Family and Social Services Employees.

FIRST AUTHOR: Rep. Smith V

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires the Office of the Secretary of Family and Social Services to implement a written policy requiring criminal and sex offender background checks on current and subsequent employees of the Office of Family and Social Services.

Effective Date: Upon passage.

Explanation of State Expenditures: The cost of this bill is estimated to be between \$50,000 and \$120,000. These costs are associated with conducting limited criminal history checks as well as sex offender registry checks. Costs of conducting sex offender registry checks are unknown, however, the costs are expected to be comparable to conducting a limited criminal history check.

This bill would require approximately 7,000 limited criminal history checks and 10,076 sex offender registry checks of FSSA employees. FSSA does not currently conduct sex offender registry checks. The FSSA currently requires criminal history checks on employees in the following areas constituting approximately 3,000 employees:

- Division of Family and Children - Family Case Managers, Family Case Supervisors, Public Assistance Caseworkers, Homemakers, Local DFC Office Directors,
- Bureau of Developmental Disability Services - Program Coordinators and Directors,
- Vocational Rehabilitation - Vocational Rehabilitation Counselors and Supervisors, and
- Division of Mental Health and Addiction/Division of Disability, Aging, and Rehabilitative Services - all employees of DMHA and DDARS facilities.

The State Police conducted a total of 265,278 limited criminal history checks last year. Of these, 48,525 were

for state agencies. The State Police charge \$3 to view a limited criminal history check and \$7 for a limited criminal history check report for each employee. The cost to the state to conduct a limited criminal history check on each employee of FSSA, not currently checked, would be approximately \$50,000.

The FSSA does not currently require sex offender registry checks of employees. The FSSA does have access to the registry and could conduct checks of staff internally. This bill requires the agency to conduct sex offender registry checks on all current and future employees. The FSSA currently employs 10,076 staff. The cost to the agency to conduct these checks is unknown. However, the costs associated with sex offender registry checks are expected to be similar to or less than those associated with limited criminal background checks given that the agency has access to the sex offender registry at no charge. Assuming that the cost of conducting a sex offender registry check is \$7, the agency will incur costs of approximately \$70,000.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. The FSSA currently has 11,284 authorized positions. Of these, 1,208 are currently vacant with \$30.3 M in associated salaries (as of November 11, 2002). The State Police have 308 vacant positions with \$7.8 M in associated salaries. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Indiana State Police.

Local Agencies Affected:

Information Sources: Les Miller, Special Counsel, Indiana State Police, 317-232-8317; Amy Kruzan, Legislative Director, FSSA, 317-232-1149.

Fiscal Analyst: Michael Molnar, 317-232-9559